



New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	IV	Out of Home Placement	
Chapter:	C	Adoption	5-10-2010
Subchapter:	8	Adoption Subsidy	
Issuance:	300	Services Provided Through Adoption Subsidy	

Purpose **5-10-2010**

This section provides detailed descriptions of the services available through the CP&P Adoption Subsidy Program.

Authority **5-10-2010**

- N.J.A.C. 10:121, Adoptions
- N.J.S.A. 30:4C-45 et seq.
- SEC.470. [42 U.S.C.670], Social Security Act, Part E
- P.L. 96-272, Adoption Assistance and Child Welfare Act of 1980
- P. L. 110-351, Fostering Connections to Success and Increasing Adoptions Act (FCSIAA) of 2008

Monthly Maintenance Payment/Clothing Monies **5-10-2010**

Maintenance Payment:

The amount of monthly payment for care and maintenance in the adoption subsidy is 100 percent of the applicable resource family care board rate (see N.J.A.C. 10:121-1.4(e)). The CP&P Form [5-8](#), Resource Family Rate Assessment, and the Rate Setting Window in NJS are used to prepare the rate setting contract, CP&P Form [5-8a](#), Resource Family Rate Agreement. See [CP&P-IV-C-8-100](#), Adoption Subsidy Must Be Comparable to Foster Care Board Rate.

See [Level of Care Rate Table](#): Resource Family Board Rate, Subsidized Adoption, and Clothing Schedule.

- Periodic increases in the board rate due to the child's age or cost of living increases result in corresponding increases in the subsidy rates.

Note: advise the adoptive parent(s) and obtain family concurrence before making changes in the amount of the subsidy for any other reason (see [CP&P-IV-C-8-100](#), Consent of Adoptive Parent Required for Changes in Subsidy Rate).

Clothing Allotment: A monthly clothing allocation is also provided based on the child's age.

Medical Coverage

5-10-2010

In New Jersey: Pursuant to N.J.A.C. 10:121-1.5(a), the medical costs of children determined to be "special needs (hard-to-place)" are covered through Medicaid. A child approved for adoption subsidy receives medical coverage for medical and surgical costs through Medicaid provided by CP&P through Code 60 Medicaid. Medicaid continues as long as the child is receiving subsidy.

Note: All family medical coverage must be utilized before accessing Medicaid.

When the adoption is finalized, encourage the adoptive parent to apply for Medicaid for the adopted child through:

- The Social Security Administration, if the child is eligible for SSI; or
- Another program which would qualify the child for Medicaid, if appropriate.

If a child is determined eligible for Medicaid through SSI, the child is enrolled in Medicaid by that agency. See [CP&P-IV-C-1-1100](#), NJ and Federal Benefit Programs and Federal Taxes, for additional information regarding SSI and Medicaid coverage.

Do not retain or enroll a subsidized adoptive child in Code 60 Medicaid after the child is determined eligible for Medicaid services through another program.

If the child continues receiving the adoption subsidy but loses Medicaid coverage through SSI, the adoptive parent(s) can reapply for Medicaid through CP&P.

Out-of-State: Medicaid is provided by the child's resident state or the Interstate Compact on Adoption Medical Assistance, ICAMA (see [CP&P-V-A-3-600](#), Medicaid Coverage for IV-E Adoption with Subsidy Children Moving Out of, or Into New Jersey), or will continue to be provided through the New Jersey Medicaid Program.

For Both In - and Out-of - state: If no Medicaid provider is available, payment to the provider will be at the Medicaid rate. All non-Medicaid services require prior approval from the Division.

Orthodontia Provisions and Adoption Subsidy

5-10-2010

Orthodontia is provided through the Subsidy Program only when the child meets the Salzmann Point Scale as used by Medicaid, but cannot access a Medicaid provider. In these instances, the adoptive parent will be reimbursed by the Subsidy Program at the Medicaid rate.

Obtaining Approval for Services: The Salzmann Point Scale is used by Medicaid to measure the medical need for treatment. Through an initial oral examination of the condition of the child's mouth, the orthodontist determines the need for treatment based on the number of points on the Salzmann Point Scale, and requests appropriate treatment:

- If the number of points is less than 24, Medicaid will not authorize the planned orthodontia, but will reimburse the cost of the examination.
- If the number of points is less than 24, but the orthodontist feels that the case is severe and unusual, he or she can send a request to Medicaid asking that an exception be made to permit the provision of orthodontia services.
- If the number of points is 24 or higher, the orthodontist completes the entire diagnostic work-up and orthodontic plan and forwards it to Medicaid. Medicaid reviews the materials for authorization for future work and payment of the oral examination and diagnostic work-up.
- If the child resides out-of-state and Medicaid from the state of residence does not cover orthodontic work, the Office of Adoption Operations can approve payment to the orthodontist at the Medicaid rate, if the number of points on the Salzmann Point Scale is 24 or higher (paid via CP&P Form [K-100](#)).
- If orthodontia will be essential in the future due to a severe malformation which would exceed 24 points on the Salzmann Point Scale, but is not needed at the time of finalization, ask the dentist/orthodontist to describe the condition, the treatment plan, and the justification for treatment in writing, and have him or her submit the materials to the Office of Adoption Operations.
- If no orthodontist accepting Medicaid is available to the family within a reasonable distance (40 miles) of the family's residence, the subsidy program will reimburse the family at the Medicaid rate.

Reimbursement for Non-Recurring Adoption Expenses 5-10-2010

An adoptive parent(s) with whom a subsidy eligible child is placed for adoption, is eligible to receive reimbursement for non-recurring adoption expenses. Reimbursement may also be claimed by an adoptive parent(s) in which the adoption disrupted before finalization.

Non-recurring Expenses Are: Reasonable, necessary, one-time costs associated with completing an adoption. Examples are:

- Attorney fees (see [CP&P-IV-C-8-300](#)), court costs, cost of the long form birth certificate;
- Cost of the home study and supervision;
- Medical examinations for each family member;
- Cost of travel, food, and lodging related to the child's adoption.

Maximum Reimbursement Allowed: The maximum reimbursement for non-recurring expenses is \$2,000.00 for each child, which includes \$500 per child for legal fees to finalize the adoption of each child.

Time Frame For Reimbursement: Reimbursement of non-recurring expenses may be made up to two years post adoption finalization, or, if the adoption is disrupted, within two years of the disruption.

Processing the Reimbursement:

- The Local Office Adoption Worker gives the prospective adoptive parent the CP&P Form [14-209](#), Application for Reimbursement for Non-Recurring Adoption Expenses in the Adoption of a Special Needs Child, during the adoption home study period. Discuss the non-recurring adoption expenses with the adoptive parents during the supervisory period to ensure that eligible families collect proper invoices and receipts.
- The adoptive parents complete the CP&P Form [14-209](#) and submit it to the Office of Adoption Operations. Staff from the CP&P Adoption Subsidy Unit review the completed form and invoices and submit them to the Assistant Director of Adoption Operations or designee for approval.
- If the placement disrupts prior to finalization of the adoption, the Local Office processes payment for the non-recurring expenses.

See CP&P Form [14-209](#) and its instructions in the on-line Forms Manual (11-20).

Note: With the exception of the \$500 payment of the attorney's fee, reimbursements for non-recurrent costs are almost entirely restricted to selected home placements.

Legal Fees 5-10-2010

Maximum Reimbursement Allowed:

- When a child meets the definition of special needs, the adoptive family is automatically eligible for a one-time payment of legal fees by the Division for the finalization of the adoption on the family's behalf. Payment for legal fees is \$500

per child which covers the attorney's fee, the filing fee, and the costs for the attorney to obtain the new birth certificate.

- When more than one child is being adopted by the same family, a \$500 legal fee may be paid on behalf of each child adopted, even when only one petition is filed with the court.

Statewide List of Attorneys: Attorneys who are interested in providing finalization legal services may apply to the Office of Adoption Operations for inclusion on a statewide list. Office of Adoption Operations staff provide the list to Local Offices whose staff give copies of the list to adoptive parents.

Clarify that the Division is not recommending the attorneys on the list to the adoptive parents, but is identifying attorneys willing to handle the finalization for \$500. Do not make a recommendation for any specific attorney to the adoptive family, even upon request.

Payment: Payment for the legal fee is provided directly to an attorney on the list and is expected to cover his or her full fee.

If an adoptive parent chooses an attorney not on the list, the adoptive parent is responsible for any additional costs. An out-of-state adoptive parent may request reimbursement for these additional costs as a non-recurring cost.

Note: When a child does not meet the special needs criteria, and no ongoing subsidy will be provided, but a documented financial need exists to finalize the adoption, a request may be made to the Office of Adoption Operations for a "legal fee only" subsidy.

Special Services Expenses

5-10-2010

Special Services expenses resulting from a condition which qualified the child for the adoption subsidy and which are not covered by the adoptive parent's health insurance or Medicaid may be covered for reimbursement by the Division if specified in the approved adoption agreement, CP&P Form [14-184](#), Initial Agreement Between the New Jersey Division of Child Protection and Permanency and Adoptive Parents Regarding Subsidy Payments.

In order for CP&P to pay for a special service, determine if:

- The child has documented exceptional needs that require support services that cannot reasonably be expected to be met from the subsidy board payments; and
- No other source or program is available or able to pay for the service, including New Jersey Medicaid and the adoptive parent's privately held health insurance. It is the responsibility of the special services provider to consult with the local

Medical Assistance Customer Center to determine whether the service is one which the New Jersey Medicaid program reimburses.

Covered expenses include, but are not limited to:

- Speech therapy,
- Physical therapy,
- Special training, and
- Home or van renovation (not purchases) to meet the needs of a physically handicapped child.

Office of Adoption Operations Approval Required for Special Services 5-10-2010

For the Initial Request: The Assistant Director of the Office of Adoption Operations or his or her designee must review and approve all requests for special services in advance of the service being provided. Approval may be for a one-time purchase, or granted on a time-limited basis, with periodic reviews to confirm the continuing need for the special service. See [CP&P-IV-C-8-200](#), Processing the Adoption Subsidy.

Payment Rate/Justification: CP&P pays for the special service at the Medicaid rate, or a rate less than the provider's customary rate, when possible (i.e., at the provider's rate for his "most favored" customer). CP&P pays for the service at the time that the service is provided. Include justification in the case record for payment toward services provided which are not covered by Medicaid or the adoptive parent's private health insurance.

Limited Respite Care 5-10-2010

Respite care is generally not part of the subsidy program. Adoptive families are expected to utilize family and community supports to assist them in parenting their adopted child. However, for a child who requires extraordinary levels of supervision (i.e., some medically fragile youngsters), limited respite care may be provided as a special service.

Prior to making any type of commitment to provide funding for respite care, determine the availability of services that may be available to the child through Medicaid or the Division of Developmental Disabilities. Review the need for respite services yearly.

Summer Camp as a Special Service 5-10-2010

Summer camp is not usually provided as part of the adoption subsidy. However, partial payment for summer camp may be included in the subsidy for a child with extensive or unique needs when the camp is specialized and part of the treatment plan. Make payment for camp directly to the camp, rather than to the adoptive parents.

Tutoring 5-10-2010

Tutoring is not usually part of the subsidy program. However, in unusual circumstances, it may be approved by the Assistant Director of Adoption Operations or designee for a very time-limited period, after documentation is provided that the service is needed and the local school district will not cover this service.

Funeral Expenses

5-10-2010

Funeral and burial expenses can be included as a special service subsidy when the child is known to have a terminal illness at the time that the initial subsidy agreement is negotiated. The amount the Division pays is based on estimates for a basic funeral and burial from several funeral homes in the area in which the child resided. See [CP&P-V-A-6-600](#), Funeral/Burial Arrangements, Bereavement Services, and Services for Terminally Ill Children.

Relevant NJS Forms and Windows

5-10-2010

- Adoption Subsidy Agreement Window
- Case Plan Window
- Contact Activity Notes Window
- Medicaid Window
- Medical/Mental Health Window
- Part A & B Assessment Window
- Rate Setting Window
- Subsidy Window
- Support Services Window
- CP&P Form [5-8a](#), Resource Family Rate Agreement

Other Forms

5-10-2010

- CP&P Form [5-8](#), Resource Family Rate Assessment
- CP&P Form [14-184](#), Initial Agreement Between the New Jersey Division of Child Protection and Permanency and Adoption Parents Regarding Subsidy Payments
- CP&P Form [14-188](#), Annual Notice Regarding Adoption
- CP&P Form [14-209](#), Application For Reimbursement for Non-Recurring Adoption Expenses in the Adoption of a Special Needs Child
- CP&P Form [14-219](#), Basis for Subsidy Eligibility